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C O N F I D E N T I A L SECTION 01 OF 02 KINSHASA 001690

SIPDIS

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TAGS: [OVIP](#) [PGOV](#) [PREL](#) [CG](#) [MONUC](#)

SUBJECT: PROGRESS ON JVM KEY FOR DRC

Classified By: PolCouns MSanderson, reasons 1.5 (b) and (d).

11. (C) Summary: DRC President Kabila told DAS Don Yamamoto, NSC Senior Advisor Cindy Courville and Central African Director Al Eastham that he would like to see the proposed Joint Verification Mission (JVM) operational before signing the trilateral agreement on the margins of the UNGA in New York. Despite this declaration, the JVM seems unlikely to be functional that quickly, in part due to Congo's delay in selecting its team members. End Summary.

Background

12. (C) Following the successful third meeting of the U.S.-facilitated trilateral talks in Kampala August 24-25, bringing together FonMins and senior officials from Rwanda, Uganda and the DRC, U.S. participants Yamamoto, Courville, and Eastham visited Kinshasa August 26. Due to the RCD's temporary suspension of participation in the transistion, VP Ruberwa was unavailable; likewise, VP Bemba was on travel outside the Congo. The team did, however, meet with President Kabila and several senior advisors, including FonMin Ramazani, National Security Advisor Samba Kaputo, Presidential Advisor Andre Kapanga, and Congolese Ambassador to the U.S. Mitifu, the Congolese delegation to the Kampala discussions.

JVM "Life or Death" for DRC

13. (C) President Kabila began by summarizing the various peace initiatives between Rwanda, Uganda and the DRC since 1999, and their varying success. In his view, after much work some progress has been made on improving bilateral relations with Uganda, and many of the elements in the various peace accords applying to Uganda have been mostly met. In particular, he noted that the DRC already has in place a border-patrol and confidence-building measure with Uganda similar to the proposed JVM with Rwanda. Almost in passing he noted that Congolese-Burundian relations have proceeded on a different track, because Burundi is a "special case," but added, almost musingly, that particularly the Gatumba massacre suggests that perhaps Burundi should be included in the trilateral talks in the future.

14. (C) Regarding Rwanda, however, wounds are deep and slow to heal, especially when inflamed by mutual recriminations regarding Rwandan military presence in the DRC and alleged DRC support to the Interahamwe still present in Eastern Congo. Repairing this relationship can only be managed by practical increments, Kabila said, noting that in his view, a functional JVM is critical to ensuring that the trilateral agreement is not merely another empty piece of paper signed with good intentions. In fact, he said, the JVM is a life or death issue for the Congo, which is why the DRC must continue to insist that it be implemented immediately.

15. (C) Once this mechanism is in place, he said, he can foresee the Ministerial Commission referred to in the trilateral agreement meeting to discuss practical next steps in improving relations, including, ultimately, reopening embassies in Kinshasa and Kigali, respectively. Kabila endorsed UN SecGen Koffi Annan's vision (expressed in an August 16 letter to the Presidents of the three countries) of the JVM being effective by September 6. (Comment: As NSC Courville noted in a later meeting with SRSG Swing, such an early implementation date seemed unrealistic, given that neither Rwanda nor the DRC had named their teams or reached agreement on the terms of reference for the JVM -- still an outstanding question. End Comment.)

16. (C) Kabila concluded by reiterating that he wants to sign a practical document in New York, and doing so will require a fully functional JVM. To that end he said he is willing to sit down in New York with Museveni and Kagame, with documents and notes on the table, and "reason together." (Comment: PolCouns asked Kapanga after the meeting whether this meant, as it seemed, that the President would be personally willing to finalize negotiation of the terms of reference of the JVM, if it had not been completed. Kapanga cautiously said that he thought that might indeed be what Kabila meant. End Comment.)

A Window of Opportunity

17. (C) In a meeting later the same day with SRSG Swing, NSC Courville asked for further information regarding Annan's

letter. Swing confirmed that the letter had been sent and that, so far, he had not received any reply from the Congolese. When pressed by Courville as to how the exchange of letters was meant to rapidly finalize the JVM, especially with key issues of the terms of reference still outstanding, Swing seemed almost as uncertain as we. Courville stressed that the U.S. does not want to usurp the UN initiative, but noted that if a need arose for technical opinions on aspects of the JVM, appropriate U.S. agencies would be prepared to assist. She also stressed that there seems to be a narrow window of opportunity in which the UN can successfully move the JVM to closure, which might require personal negotiations rather than simple exchanges of letters.

Comment

18. (C) Despite Kabila's apparent commitment to quickly finalizing the JVM, the Congolese have not yet finished selecting their team members. The initial list, drawn up in response to Annan's letter, was rejected by Samba Kaputo as not sufficiently representative of the "componant" balance within the transition, and so another list is currently being developed. The Congolese also appear poised to object to at least one of the suggested Rwandan changes to the terms of reference of the JVM -- and issue which almost certainly will have to be worked out during face-to-face negotiations.

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